



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

Paper No. 15

Charles W. Calkins
Petree Stockton L.L.P.
1001 W. Fourth Street
Winston-Salem, NC 27101

COPY MAILED

AUG 06 1998

**SPECIAL PROGRAMS OFFICE
DAC FOR PATENTS
ON PETITION**

In re application of
Dennis W. Nusser et al
Application No. 08/612,969
Filed: March 4, 1996
Attorney Docket No. 1213-12

This is a decision on the petition under 37 CFR 1.137(b), filed January 8, 1998, to revive an unintentionally abandoned application.

The petition is GRANTED.

The 2-month period for filing the Appeal Brief, in triplicate, accompanied by the fee required by law, runs from the date of this decision.

The petition states that "[t]he entire delay in filing the proposed reply (Notice of Appeal) from November 2, 1997 until the filing of this petition was unintentional." However, since this application became abandoned at midnight on October 2, 1997, petitioner's statement will be construed as meaning that the entire delay from October 2, 1997 until the filing of this petition was unintentional." If this is an incorrect interpretation, petitioner must notify the Office promptly.

This application became abandoned for failure to reply timely to the Office action mailed May 2, 1997, which set a period for reply of three months. A Notice of Abandonment was mailed January 30, 1998.

The application file is being forwarded to Technology Center 2800, Art Unit 2854.

Telephone inquiries concerning this matter may be directed to Valerie Bell at (703) 305-8819.

Valerie Bell

Valerie Bell
Legal Instruments Examiner
Office of Petitions
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects

Karen Creasy

Karen Creasy
Petitions Examiner